

BOARD OF CODE STANDARDS AND APPEALS

MINUTES

September 12, 2005

Members: Francisco Banuelos, Randy Coonrod, Randy Harder, Richard Hartwell, Bernie Hentzen, Gerald Herzberg, Ed Murabito, Warren Willenberg, John Youle

Present: Harder, Hartwell, Hentzen, Herzberg, Murabito, Willenberg

Absent: Banuelos, Coonrod, Youle

Staff Members Present: Deb Legge, Maria Bias, Elaine Hammons

The regular meeting of the Board of Code Standards and Appeals was called to order by Board Member Murabito on Monday, September 12, 2005, at 1:34 p.m. in the 1st floor Board Room, City Hall, 455 N. Main, Wichita, Kansas.

Since the term of former Chairman Scot Wolfington had expired, Board Member Murabito, having the longest tenure of the current Board Members, served as Chairman for the September 12, 2005, meeting.

1. Approval of the Minutes from the August 1, 2005, meeting.

A motion was made by Board Member Hentzen, seconded by Board Member Harder, to approve the minutes of the August meeting as submitted. Motion carried.

2. Approval of the September, 2005, license examination applications.

There were no applications for license examination for the month of September.

3. Introduction of visitors and new Board Member.

Board Member Murabito introduced Alfani Ngulwe, a student at Wichita State University, currently working as an intern in the City Manager's Office. Mr. Ngulwe was present to observe the procedures of the Board of Code Standards and Appeals.

New member Gerald Herzberg was introduced to and welcomed by the Board.

4. Condemnation Hearings

Review Cases

1. 1135 N. Piatt

No one was present to represent this property.

The property was before the Board for the first time at the May, 2005, hearing and again at the hearing in July, 2005. At the July hearing, the property owner, Anthony Griffith, appeared before the Board. At that time Mr. Griffith told the Board that he anticipated being able to arrange a payment schedule on the delinquent taxes and have them paid within sixty days. Mr. Griffith said that he had contracted Rapid Siding to reroof and reside the structure. The work was expected to begin on July 31, 2005. The taxes have not been brought current, nor has the work been started as of the September hearing. The structure is now occupied.

Ms. Legge told the Board that Mr. Griffith had come in that morning to explain that he would be traveling to Kansas City to be with his son, who was scheduled for surgery. At that time Ms. Legge explained to Mr. Griffith that the structure was not to be occupied because it had been placarded. Mr. Griffith said that he had not understood that the building was to remain vacant. Ms. Legge informed him that the tenant(s) had to vacate the structure until the work was complete enough for occupancy to be approved by Central Inspection staff. He assured Ms. Legge that he had done the work and felt that the property was repaired and clean.

An on-site inspection showed that extensive repairs were still needed on the structure. Ms. Legge told Mr. Griffith that once he had returned from Kansas City, he could arrange to meet with an inspector on the premise, who would explain what repairs were still unfinished. In the meantime, Mr. Griffith agreed to have the tenant vacate the structure.

A motion was made by Board Member Harder to recommend the property to the City Council for demolition action, ten days to start and ten days to complete demolition. Board Member Hartwell seconded the motion.

Board Member Herzberg asked for an explanation of the "ten and ten" phrase as used by Board Member Harder in his motion. Ms. Legge explained that it was the motion to send a property to the City Council for review, at which time the Council Members would vote on whether to extend the time for repairs to a property, or to vote that the property be razed. If the Council approves the demolition of the property, the owner would have ten days to begin demolition and ten days to complete the demolition.

The Board voted on the motion made by Board Member Harder. The motion carried, unopposed.

2. 317 S. Dodge

Francis Buckman appeared as the representative for this property.

At Board Member Murabito's request, the Board Members and staff introduced themselves.

This property was first brought before the Board at the May 2, 2005, hearing and again at the July 11, 2005, hearing. Mr. Buckman was present at the July hearing and requested that the Board grant an additional sixty days for repair of the structure. At the July hearing, Mr. Buckman explained that he had contacted a contractor, (David) Caro Construction, to begin making repairs on the property, although a written contract had not been signed at that time. A motion was made and approved to allow until the September 12, 2005, meeting to either complete the required repairs or reappear before the Board.

The taxes are current. There is a small amount of bulky waste, trash and debris on the premises. There has been no evidence of any repairs to the structure.

Board Member Murabito asked Mr. Buckman to address the Board regarding the status of the property.

Mr. Buckman told the Board that the contractor, (David) Caro Construction had been prepared to do the necessary repairs, however, the contractor's bonding company would not permit him to do the work due to other obligations with government contracts. Mr. Caro asked his brother to inform Mr. Buckman of the conflict; Mr. Buckman did not receive the message from Mr. Caro's brother until approximately a week prior to the Board meeting. Additionally, Mr. Buckman said he had suffered some medical problems during that time. He assured the Board that he had contacted a different contractor who was prepared to begin the repairs that day.

The trash and debris currently on the premises, Mr. Buckman stated, was from a neighboring property that was being reroofed.

A motion was made by Board Member Harder to allow until the October, 2005, meeting to make the necessary repairs to the property or reappear before the Board. The motion was seconded by Board Member Willenberg. The motion passed, unopposed.

With no other business to conduct, the meeting was adjourned at 1:45 p.m.